

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Bernabe Madrid	CHRB-004-0010 CHRB-006-0040 CHRB-007-0011
Caroline Madrid	CHRB-004-0010 CHRB-006-0040 CHRB-007-0011
Pauline Bustos	CHRB-004-0004D
Elipio G. Mercure	CHRU-001-0016
Kathleen Gintowt	CHCC-001-0013
Robert A. Gintowt	CHCC-001-0013
Tira L. Ouellete	CHRB-004-0041
Celia O. Lucero	CHCV-002-0011
Rebecca Hurd	CHCV-002-0017

Robert Hurd	CHCV-002-0017
Jose Salomon Lucero	CHCV-002-0035
Presley D. Rivas	CHCV-002-0039E
Angelo E. Rivas	CHCV-002-0039F
Estate of Octaviano Ulibarri	CHTA-003-0021
Estate of Maria Casias	CHTA-003-0003
Bruce R. Duran	CHRB-006-0003
Michelle L. Duran	CHRB-006-0003
Michael D. Gonzales	CHRB-004-0009
John D. Morrow	CHCC-001-0007
Olivia Valdez	CHTA-003-0030

and as grounds therefore plaintiff states:

1. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed April 30, 2007 (Doc. No. 8635). The default of defendant Olivia Valdez is shown by the Clerk's Certificate of Default filed December 17, 2004 (Doc. No. 7680).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the Office of the State Engineer Hydrographic Surveys for Section 7 of the Rio Chama Stream, as amended.

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 22rd day of May, 2007 I filed the foregoing electronically through the CM/ECF system and served the following non-CM/ECF Participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Bernabe Madrid
P.O. Box 41
Los Ojos, NM 87551

Caroline Madrid
1285 Soaring Eagle Dr.
Colorado Springs, CO 80915

Pauline Bustos
P.O. Box 46
Santa Cruz, NM 87567

Elipio G. Mercure
P.O. Box 104
Los Ojos, NM 87551

Kathleen Gintowt
Robert A. Gintowt
1802 Monterey Drive
Gallup, NM 87301

Tira L. Ouellete
356 32nd Street
Ogden, UT 84401

Celia O. Lucero
10701 Manual Blvd. NE
Albuquerque, NM 87112

Rebecca Hurd
Robert Hurd
206 E. 10th St.
Snohomish, WA 98290-2263

Jose Salomon Lucero
c/o Lucia Lucero
4209 El Conlan Ave.
Las Vegas, NV 89102

Presley D. Rivas
P.O. Box 634
Chama, NM 87520

Angelo E. Rivas
P.O. Box 634
Chama, NM 87520

Estate of Octaviano Ulibarri
c/o Linda Kline
P.O. Box 150
Mesilla, NM 88046

Estate of Maria Casias
c/o Amarante Casias
P.O. Box 84
Tierra Amarilla, NM 87575

Bruce R. Duran
Michelle L. Duran
County Rd. 84-B #59
Santa Fe, NM 87504

Michael D. Gonzales
112 Sam St.
Santa Fe, NM 87501

John D. Morrow
333 E. Palace Ave.
Santa Fe, NM 87501-2275

Olivia Valdez
P.O. Box 187
Tierra Amarilla, NM 87575

/s/ Ed Newville
Edward G. Newville